

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT SMITH,)
Plaintiff,) CASE NO. C04-2226-JLR-MJB
v.)
BETTIS, C/O, *et al.*,) ORDER DENYING PLAINTIFF'S
Defendants.) FOR PRELIMINARY INJUNCTIVE

The Court, having reviewed plaintiff's motion for preliminary injunction, defendants' response, the Report and Recommendation of the Honorable Monica J. Benton, United States Magistrate Judge, and the balance of the record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
 - (2) Plaintiff's motion for preliminary injunction (Doc. #44) is DENIED.
 - (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for defendants, and to Judge Benton.

DATED this 13th day of January, 2006.



JAMES L. ROBART
United States District Judge